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Rural Place-Making, Globalization and the Extractive Sector: Insights from Gold Mining Areas in Kratie and Ratanakiri, Cambodia

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Abstract

There has recently been much debate about the ways in which place-based research should contextualize rural land use disputes in relation to economic globalization. This article analyzes how changing hybrid configurations of global and regional influences in Cambodia's extractive sector have transformed the dilemmas of rural place-making, focusing on two cases – a Chinese mining company's concession in Kratie and an Australian mining company's concession in Ratanakiri. Addressing contexts where resource access has been contested by local Khmer small-scale gold mining communities, migrant miners and foreign-owned companies, the case studies illustrate how globalization pressures have been experienced differently. The cases also highlight analytic weaknesses of dominant development narratives that focus narrowly on local illegal land use and the need for resettlement of communities living and working in large companies' concessions. The article introduces a framework of three inter-related themes that encourage a more sensitive interpretation of extractive sector contestations under globalization, calling for critically engaging divergent interpretations of "illegality" in resource use, exploring the dynamic interactions between global and regional actors, and carefully considering small-scale miners' socioeconomic and historical connections to rural places. As this is the first study in almost a decade to focus on social dimensions of Cambodia's mining industry, the article concludes by suggesting how place-based research attuned to ever-changing faces of globalization can deepen understandings of socioeconomic marginalization and transformation in Cambodia's mineral-rich areas and beyond.

Key words: rural place-making; rural land use dispute; globalization; extractive industries; small-scale mining; mining concessions; discourse; Cambodia

Introduction

In 2007, Michael Woods (2007) proposed the notion of “engaging the global countryside” as a metaphor to inform rural studies research. Challenging common simplifications in debates about globalization, particularly discourses that portray “development” dynamics as homogenizing linear processes, his discussion called for “more place-based studies of globalization as experienced in rural localities” (p. 486), arguing that the question “how are rural places remade under globalization?” (Woods, 2007; p. 494) is increasingly important. In similar spirit, recent scholarship addressing rural perspectives in mineral economies has accentuated the importance of contextualizing and disaggregating foreign investment projects in the extractive industries (Gonzalez-Vicente, 2013) and the need for place-based research on artisanal and small-scale mining (ASM¹) (Hirons, 2011; Lahiri-Dutt, 2012; Luning, 2014; Maconachie and Binns, 2007; Hilson et al., 2014). This study pursues Woods’ question about the remaking of “global” rural places in the context of Cambodia’s gold mining sector, examining how unlicensed ASM has been imagined in relation to global land use competition. The article analyses two case studies of unlicensed ASM activity in foreign-owned large-scale mining companies’ concessions, one held by a Chinese company in Kratie Province and another by an Australian company in Ratanakiri Province.

The article contributes to debates on how the expansion of the extractive sector is reconfiguring regional contestations over rights (O’Faircheallaigh, 2013), adding to scholarship addressing analytic possibilities for “grounding globalization” in mining sector research (Bridge, 2002). It also provides a new sector-specific context in which to understand the critiques advanced by Prout and Howitt (2002), who explored how dominant economic discourses on “productive” rural landscapes have rendered rural communities “perpetually out of place” (p. 402). In Cambodia, the expansion of the mining industry has been generating high profile debates about rural land use

¹ Artisanal and small-scale mining is a growing sector globally that is widely characterized by rudimentary technologies and physically intensive labour. This study uses the terms artisanal and small-scale mining interchangeably to refer to physically-intensive gold extraction practices that are not formally licensed.

conflict, leading to complex questions about how discourses of illegality and processes of globalization are remaking rural places, in some cases leading to the eviction of communities and detachment of people from the places in which they have long lived and worked. The article draws particular attention to the importance of “legal place-making,” a term that Bocarejo (2008) discusses while calling for scrutiny of how legal discourses can create problematic typologies that structure particular rights-based understandings of rural identities in relation to landscapes. The analysis illustrates diverse rural implications of an increasingly globalized mining sector, recognizing Cambodia’s global countryside as a context where, as Springer (2013) argued, “what is legal is not necessarily ethical, and what is ethical is not necessarily legal” (Springer, 2013, p. 22). This sentiment calls for unpacking how globalization relates to legalistic language about resource rights as well as land use practices on the ground, taking into account different histories, contexts and perspectives.

The first section of the article provides an overview of the changing socioeconomic dynamics of gold mining in Cambodia and debates over rural land use competition in gold mining regions, contextualizing current debates on the globalization of the countryside. The second section presents the study’s methods and critical approach, and the third section analyzes the two case studies to show different hybrid configurations of regional and global influences in Cambodia’s gold mining economy. To further unpack this hybridity, the fourth section explores three key inter-related themes emerging for theorizing rural place-making, before concluding.

Background to the Study: Small-Scale Mining and Rural Research in Southeast Asia

After being virtually absent from rural studies literature of the early 2000s, the influences of foreign companies on rural livelihoods in the ASM sector have received recent attention in African contexts (Hilson et al., 2014; Luning, 2014). However, comparatively little has been written about these themes in Southeast Asian contexts. Although ASM is often thought of as “illegal,” there is

growing recognition that ASM has been providing livelihoods to increasing numbers of people in Asia since the 1990s (UNEP, 2012). In various countries in Asia, studies have presented problems in small-scale mining areas in mainly “rural” terms, identifying how unsound ASM practices can negatively impact rural ecological systems (Castilhos et al., 2006). Such “rural” risks cannot be understood independently from the socioeconomic drivers of ASM, which in turn necessitates an understanding of wider debates about globalization. Lahiri-Dutt (2004; 2006; 2012) explains the growth of ASM in Asia as part of a worldwide trend in the informalisation of livelihoods, accentuating the need for analyses of extractive sector development dynamics to be more sensitive to ASM as a livelihood for rural women and men in poorer mining communities. These critiques complement cautions articulated by Hatcher (2012) and Holden et al. (2011), who examine how mining policies in Asia have widely prioritized multinational companies rather than local communities, leading to increased rural conflicts and negatively impacting indigenous peoples.

Cambodia is somewhat unique as a country where mining policies are only in early stages of development. Although many other Asian countries expanded their mining industries in the 1980s and 1990s (Ballard and Banks, 2003; Hatcher, 2012), war, conflict and political instability in Cambodia until the late 1990s prevented the development of its national mining policies, which only began to take shape in the new millennium. Rudimentary forms of artisanal gold mining have been conducted in Cambodia for centuries. While most mining companies are currently in an exploration stage and ASM activity is illegal (Browne et al., 2011; GDMR, 2013), little research has been undertaken to examine mining discourses in Cambodia let alone the rural contestations between foreign companies and local and migrant artisanal miners. Le Billon and Springer (2007) explored some of the historical shifts in political debate about resource extraction, governance and capitalism during Cambodia’s transition to post-conflict development policies after its civil war. They examined how, in the early 1990s, the Royal Government of Cambodia imposed moratoriums on the extraction and export of minerals and timber due to concerns that these resources were used

to benefit insurgents and undermine legitimate state governance processes. In the 2000s, high international gold prices and high rates of joblessness - in both rural and urban areas - were drivers of artisanal and small-scale mining in Cambodia (Cooperation Committee for Cambodia, 2010).

The ASM sector in Cambodia involves men and women of diverse backgrounds who use various methods to extract gold, by panning for alluvial gold using simple tools or mining primary ore (hard rock) with more sophisticated technologies. In some sites this is a seasonal/temporary activity, while in others it is a full-time traditional activity that families have undertaken for generations (IPNN, 2010). While rural labour structures vary, ASM activities are often concentrated around ore processing centres where owners of equipment allow miners to process ore for a fee – sometimes a sizable percentage of revenues generated from gold production. A decade ago, Sotham (2004) showed that gold miners in Cambodia are heterogeneous and include local people, poor migrant workers, wealthy migrant miners and concessionaires. His assessment suggested that ASM, while driven largely by poverty, should also be understood critically in the context of powerful actors' contested economic interests. While these diverse regional interests are still very present, non-governmental organizations (NGOs) have increasingly criticized how mining concessions have been granted to foreign companies in regions where artisanal mining groups live and work, particularly after 2005, when global mining prices started to increase (NGO Forum, 2010). New questions about the globalization of land use in mining areas have thus arisen. Some concessions in Cambodia were granted to foreign mining companies with concessions measuring more than 100,000 hectares (Grimsditch and Henderson, 2009), larger than the maximum permitted for non-mining concessions governed by the Land Law, which is 10,000 hectares.² NGOs have argued that it is unlikely that companies would truly use such large areas for mineral exploration let alone for mining – yet are still trying to evict rural residents from their concessions (NGO Forum 2010). Moreover, concerns have been raised that some companies' attempts to remove artisanal miners

² Land Law, 2001, Chapter 5

have led to shootings from military and security forces (NGO Forum, 2010), highlighting effects of a violent form of globalization.

Research Methods and Analytic Approach

The study methods included analysis of policy documents at national and provincial levels as well as interviews and field assessments in gold mining regions in Kratie and Ratanakiri (Figure 1). Interviews in these areas were complemented by interviews conducted in Phnom Penh, comparing perspectives of people working in ASM with those of officials in mining, environmental and finance departments of the government. Interviews were also conducted with representatives of international mining companies, NGOs and others in the mining areas. Using semi-structured interviews, particular focus was given to exploring the perceived challenges associated with the illegality of ASM in company concessions and perspectives on pursuing livelihoods in two contested mining locations, in Sambo (Kratie) and Phnom Pang (Ratanakiri).

The two mining locations were suggested by interviewees who worked at the Ministry of Industry, Minerals and Energy (MIME), selected because they represented different unlicensed ASM contexts within licensed concessions; the Australian mining company's area in Phnom Pang and the Chinese mining company's area in Sambo had markedly different histories. After analyzing socio-economic and historical aspects of artisanal gold mining in each of these locations, further interview questions explored perspectives on policy approaches for resolving resource conflict including the extent to which regional government officials were planning for resettlement of small-scale miners and/or resource sharing between the small-scale miners and the larger companies. Probing Woods' notion of the global countryside "simultaneously as a site of uncertainty and challenge for rural communities, and as a realm of opportunity" (Woods, 2007, p. 496), the interviews explored views on uncertainty as well as potential opportunities associated with new companies in the areas. The fieldwork included visits to the places where the artisanal miners

worked as well as the settlements where they lived (also on the company concessions). Care was taken to avoid attributing “blame” narrowly to particular agents (e.g. artisanal miners or government officials) at the cost of a more sensitive interpretation of “the global countryside.”

Figure 1: Map of Cambodia showing locations of Ratanakiri Province and Kratie Province



While analyzing contextual perspectives on the remaking of rural places under globalization, the research process grew out of what was initially a more “policy-oriented” study. The author had been commissioned by the Cambodian Office of the United Nations Development Programme (UNDP) to conduct research on small-scale gold mining, with the view of providing

advice on regulation strategy, and the author retained rights to publish further from the research to inform world knowledge. Woods and Gardner (2010) argue that policy-relevant research - including commissioned studies - can and should lead to useful critical academic analysis, recognizing that careful steps need to be taken to ensure that scholarly analysis is ethical and serves the public good. Similarly, Tschakert (2009) critiques academic isolation from policy spheres and provides a compelling analysis of why ASM researchers should engage more with policymakers to encourage a critical rethinking of artisanal mining, including by publishing in non-academic forums. As such, policy briefs were shared with Cambodian stakeholders (translated into Khmer), outlining findings from fieldwork; this then helped to gain further insights on the findings regarding particular mining locales as well as their (dis)connection with perspectives on wider rural land use debates. The author also held meetings with government policymakers, NGOs, small-scale miners and large-scale miners to discuss the issues in this study. Complementing interviews conducted in May and June of 2010 and analysis of detailed field notes, follow-up interviews with NGO representatives in 2013 and reviews of government policy documents provided further perspective.

Mining, Resource Competition and the (Dis)connection of Policy and Place

Legal Place-Making in Cambodia's Mining Sector

Dominant “legal place-making” discourses in Cambodia’s mining sector revolve around the 2001 Mining Law, which asserts that mining activities are illegal unless permission to mine is granted by MIME. The Mining Law recognizes a (limited) degree of heterogeneity by including provisions for licensing industrial mining as well as an “Artisanal Mining License,” which theoretically provides opportunities to bring certain small-scale mining activities into a regulated framework. However, it stipulates that an artisanal mining license “may be issued only to persons of Khmer nationality for the purpose of conducting the exploration and exploitation of mineral resources by using locally available common instruments and their own labor or with the help of family with no more than 7 (seven) persons” (Article 11). In addition to mandating that non-family

members cannot work together in artisanal mining and that only “locally available common instruments” (which are not defined) are permissible, the artisanal mining laws limit licenses to mineral resources only near the surface (to a maximum depth of five meters) and “within a demarcated area no larger than 1 (one) hectare” (2001 Mining Law, Article 11). The spatial definition of 1 hectare was identified by artisanal miners in Kratie and Ratanakiri as a highly limited scope for mining, as contextualized in the cases below. Furthermore, whether policymakers update the law to create ways of regulating semi-mechanized forms of small-scale mining (going beyond non-mechanized artisanal mining) remains a looming concern in light of increasing levels of semi-mechanization in recent years.

The restrictive language in the licensing framework reflects policymakers’ longstanding – and recently increasing - reluctance to legitimize artisanal mining as a rural land use strategy. This reluctance was conveyed by the Prime Minister at the *First International Conference on Mining in Cambodia*, in May 2010 in Phnom Penh, stating that “the mining sector is by no means the only option in the course of Cambodia’s development,”³ noting that curbing illegal mining is a priority. While aversion to legalizing artisanal mining should also be understood in the context of intensified global competition over resource rights, reports in *The Phnom Penh Post* have also highlighted exploitative aspects of mining as well as livelihood aspects for seasonal and long-term small-scale miners, noting that soldiers have become increasingly powerful in mining areas.⁴ In that ASM has not been legalized in Cambodia, the Cambodian context contrasts with countries that have larger ASM sectors, such as Indonesia and Philippines, where policy models have been developed to legalize miners as cooperatives or as individuals using district-level governance approaches (Spiegel, 2012). It is important to stress, however, that ASM dynamics are heterogeneous and regulatory dynamics can vary considerably. The involvement of multiple mining groups in the same areas can make it difficult to distinguish “traditional” artisanal mining from more sophisticated

³ See Hun Sen (2010).

⁴ For example, see “Gold Rush in Prey Lang Forest.” *The Phnom Penh Post*, February 13, 2013.

small-scale mining. Not all ASM activity is “anarchic” – a word which is frequently used in newspapers to describe Cambodia’s ASM sector.⁵ Some of Cambodia’s ASM activity goes back decades as a cultural tradition, and in some cases it may be more appropriate to consider segments of the sector as “informal” rather than “illegal.”⁶ The two cases below illustrate considerable differentiation in how ASM is contested in larger companies’ concessions.

Case Study 1 – Global Land Use Competition and Gold Mining in Sambo District, Kratie

The mine site studied in Kratie was in Sambo District, located 45 km northeast of Kratie provincial town. In this area, ASM was not licensed but supported the livelihoods of 496 people⁷, where families have been mining for several decades, going back to the 1970s. Most of the miners in the region are Khmer. This region had been occupied by the Khmer Rouge in the 1990s (after re-unification of the country, some former soldiers were living there), and other newcomers came in the 1990s. Vietnamese small-scale miners work in Sambo alongside Khmer small-scale miners. A Chinese owned company, Xing Yuan, has the 28-square kilometer mineral exploration concession encompassing the total area where the unlicensed miners work and live; the artisanal miners’ settlement is located within 400 metres from the company buildings, which were built in 2009.

In the article “Whose Land is This Anyway?” Chandet et al. (2010) provided in-depth analysis of rural livelihood insecurities in Sambo District, illustrating that livelihood insecurities have intensified in the 2000s due to numerous contested resource tenure disputes. They examined the role of collective action in maintaining community rights to the land, addressing various resource sectors other than mining. The land access rights of artisanal miners are especially difficult to maintain, with intensified competition over mineral-rich land in Sambo, reflected (among other

⁵ For example, see “Mineral anarchy reigns in Far-East Cambodia mineral resources exploration.” *The Cambodia Daily*. Monday, October 9, 2006.

⁶ See Lahiri-Dutt (2004; 2007) for broader discussion of the terms “informal” and “illegal” in Asia.

⁷ The estimate of 496 people was provided by one of the local artisanal gold miners who lived in Sambo and this estimate was confirmed to be reasonably accurate in an interview with a provincial government officer in the Ministry of Industry, Minerals and Energy.

ways) in the growing foreign interest in turning exploration licenses into mining licenses. Xing Yuan is the 4th company to have the mineral exploration concession for this area, the three previous ones being a different Chinese company (most recently), a Korean company and a Canadian company.⁸ The previous companies did not pursue exploration to the same extent as Xing Yuan⁹ and, in this sense, what Woods (2007) calls “differential geographies of globalization across rural space” (p. 490) have depended to a meaningful extent on different actors’ knowledge of resource potential at different times and the varied investment stages of different foreign companies.

Company representatives noted that Xing Yuan employs 80 people - including 50 Chinese workers and 30 non-Chinese (mostly Cambodian) workers - and has occasional collaboration with local community members for tree-cutting and construction jobs. However, interviews with a geologist, a mine manager and a security guard at Xing Yuan revealed that the company has repeatedly threatened to evict the local artisanal miners and that the relationship with the artisanal mining community was far from harmonious. As the longstanding residential settlement of the local Khmer mining community (Figure 2) is located immediately adjacent to the mining company’s newly constructed buildings, the potential for intensification of conflict is considerable. Framing such conflict as merely a matter of “law” would be problematic, particularly as ambiguities about “informal resource ownership” also emerged in this region of Sambo. For example, one resident stated that a Cambodian owned 1 square kilometer within Xing Yuan’s concession, however this was not legally registered and conveyed as “an unofficial arrangement made with soldiers at high levels in the military.” Explaining local livelihood challenges, one of the gold miners indicated that the entire settlement was told by government mining authorities to stop any further mining (excavation work) but that they would be allowed to process ore that had not yet been processed. Heaps of ore were being processed at the time of the fieldwork and concerns were raised that

⁸ Interview with MIME officer, June, 2010.

⁹ Drilling commenced in 2009 on the property, 200 metres in depth; ore analyses by company spectrometers and fire assays found the region to be endowed with gold, copper and lead deposits.

limiting further excavation could cause significant economic problems for the group.¹⁰ When asked what the largest challenge was for the artisanal miners, one miner answered that the largest problem was the prohibition on mining, noting that local miners had been there for years but were never able to acquire a license.

Figure 2: Houses in Local Mining Settlement in Sambo, Kratie



Photo source: author

As there were competing claims to this area's resources, conceptualizations and experiences of globalization here were shaped in a significant way by different views of how government actors should seek solutions to conflict. As one artisanal miner asserted, policies in Sambo should allow the artisanal miners to stay on the land. This should, he argued, entail setting geographical

¹⁰ Vietnamese gold miners and traders occasionally came to the area to purchase tailings for processing (using Vietnamese equipment), but this did not occur regularly so local artisanal miners were processing ore themselves.

boundaries and establishing a legalization plan for ASM. A related policy perspective advanced by others was that if the government promotes a plan for *sharing the concession* area between ASM and the new company (Xing Yuan), this could create mutual benefits between the company and the people living there; NGO representatives surmised that Xing Yuan could thus also be encouraged by the government to provide jobs to local people, especially the ASM groups who were there for many years. Another framing of policy options focused on encouraging the *resettlement* of the people living there – a common discursive emphasis in policy circles across Cambodia given the rapid increase in company concessions in recent years. Interviewees from the government and those involved in mining stressed that robust stakeholder consultation would be needed to decide the appropriate course of action. Miners noted that the surrounding areas beyond the concession's boundaries are also geologically rich, but licenses had already been granted to other companies. In Kratie Province, 14 companies were licensed for mineral exploration at the time of the study (although none licensed to conduct mining), presenting competing claims to surrounding areas beyond Xing Yuan's concession.

Reflecting the government's increasing efforts to benefit from economic globalization, a government geologist was stationed at the company's building to monitor company activities and acquire information on geological assessments. His presence contributed to particular forms of mining sector place-making at the micro-political level, creating a hybrid link between government and corporate planning. This hybridized on-site government presence – as both regulator and advisor to the company – could be interpreted in multiple ways. It might be seen as problematic as this arrangement poses potential conflicts of interest; conversely, it might facilitate resolving some of the conflicts if geological assessments could help locate areas that are geologically suitable for small-scale surface mining but not large-scale mining. It might also mitigate a commonly cited problem in Kratie, whereby foreign companies accumulate secret information about the value of

mineral deposits without telling government officers the true value of mineral wealth.¹¹ Regardless of the framing of this hybrid link, concerns were raised that the company had not developed plans for community development, and little public information existed about this company's local consultation or community outreach processes to date.

Contemplating Resettlement and/or Resource Sharing

The MIME Provincial Director noted that several factors made the Sambo mining community's dispute with Xing Yuan a conflict that could be easily "monitored" – even if not readily "resolved." For example, a road built by the government in 2002 made it easy to bring in government overseers to control and stop ASM if ultimately desired. Roads are powerful symbols of globalization in Kratie, and the advanced road infrastructure of the quality that exists near the Sambo gold mining site is not in place in most other parts of the country where mining occurs (e.g. the case in Ratanakiri discussed below is substantially more difficult to access). However, the MIME officer acknowledged that: "the company cannot just move these people out; there needs to be discussion first." He also noted that: "the government and the different people involved in this should sit together. So far, we do not have a clear step."¹² People from the local settlement insisted that they had resolved to stay on the land and would continue to protest "resettlement"; they noted that they had pursued litigation since 2009, albeit without a clear resolution.

Conflicts between the mining company and the unlicensed artisanal miners in this community are even more complex due to pressures from another company in this area, further complicating struggles over this region's globalized countryside. An American-owned agribusiness (Green Island Development) that conducts logging and rubber tree planting on an industrial scale owns 40,000 hectares in the area, overlapping with 3 mineral exploration

¹¹ NGOs have been vocal about this problem. Government officials have also expressed this problem, which was cited in speeches in Phnom Penh at the First International Conference on Mining in Cambodia, in May 2010.

¹² Interview, June, 2010.

concessions including Xing Yuan. This agri-business came in 2006, cleared land and negatively impacted the area's farming potential, according to residents in Sambo. Some of the artisanal miners had also been dependent on farming and their access to viable farming was reportedly constrained by negative environmental impacts from the agri-business and the company's chasing people away and restricting resource access using security forces. There was also tension between this agri-business and mineral exploration companies, particularly after a nearby third company – an Australian company – started drilling in an area that overlapped with the agribusiness. Xing Yuan had also reportedly been in conflict with Green Island Development, which was not allowing miners on its overlapping land. One government advisor noted that like Green Island, the Australian company also used armed forces to arrest people who entered the property, and that access was restricted even for government geologists unless special permission was granted. The interviewee noted that he was personally restricted on a few occasions from being able to visit the area. As authorities were not able to access the full parameters of mineral concessions, limitations imposed on monitoring constitute one of many factors that render land use conflict complex and opaque from a regional civil servant's perspective; operationalizing the notion of “resource sharing” in this context is thus fraught with problems.

Promoting a resettlement of those currently residing in this area was clearly not seen by local residents as an ideal option, and regional government representatives emphasized that, if such an option is to be considered, detailed local assessments would be needed. Officials suggested that the government would support compensation for *some* of the people living there (only if they could prove that they have lived there for more than five years) if resettlement proposals are pursued, but, as NGOs also stressed, there was no clear policy for deciding who is eligible for compensation and appropriate compensation level. The Provincial MIME Director agreed that the local authorities would need to be involved in deciding the appropriate compensation, suggesting for example that local authorities might ask the company to build a road as compensation (rather than cash

compensation). However, others interviewed were doubtful that building a road (as a compensation strategy) would benefit artisanal miners who live there (especially if these workers were to be relocated to a distant new location). One miner suggested that road infrastructure only amplified local frustrations, especially since roads led to increased developments from foreign companies in the first place. From this perspective, other social services and skill development/training would be more valuable to artisanal miners than road infrastructure. NGO representatives stressed that any discussion about relocating the miners should also take into the account the potential limitations of Social Land Concessions (SLC); SLCs were suggested by government officials as an option for relocation but such concessions are frequently not ideal for farming or other economic purposes.¹³

The different perspectives above all indicate that the effects of globalization depend in part on how artisanal mining is viewed and the connection envisioned between mining-based livelihoods and rural place. Seeking “relocation” as the only option risks overlooking other ways of imagining rural place-making including the encouragement of policies to relinquish portions of the currently licensed area to allow for shared resource access. According to government policy, exploration companies are expected to relinquish at least 10% of the space of their concessions every two years (to avoid excessive hoarding of resources and to encourage active exploration) (GDMR, 2013). Such an approach might – theoretically - be acceptable to foreign companies if there were areas deemed suitable for artisanal mining but not large-scale mining. However, both company representatives and artisanal miners alluded to competition over the same vein of gold, suggesting that efforts focusing on “relinquishing” areas might be unproductive. Place-making in Sambo has, thus, been shaped by government reluctance to formally integrate the local artisanal mining community in a rural development strategy, with ongoing “reforms” influenced by particular sets of powerful regional and foreign interests in Sambo’s “global countryside.”

¹³ A social land concession (SLC) is a legal mechanism established under the Cambodian Land Law (2001) which aims to legalize transfers of state private land to individuals or community groups for social purposes, particularly for residential and agricultural land. Mund (2006) describes how relocation to Social Land Concessions may mean relocation to areas with poor soil fertility and poor prospects for agriculture.

Case Study 2 - Global Land Use Competition and Gold Mining in Phnom Pang, Ratanakiri

Broadly, mining sector-related contestations in the global countryside in Kratie Province are similar in many respects to those in Ratanakiri Province given the recent intensification in competition over mineral resources. Although none of Ratanakiri's registered mining companies were officially producing gold, according to government records, Ratanakiri is widely recognized to have some of the richest gold deposits in Cambodia, with more than 20 mineral exploration concessions. At the time of the study, 11 companies held licenses to exploit gold, bauxite, iron, gemstones and granite, covering a combined area of approximately 400,000 ha (Asian Development Bank, 2010). In the Phnom Pang region, an Australian company, Summer Gold, possessed mineral exploration rights on a 100 square kilometer concession that it held since 2006. The company began conducting soil samples in 2007, although discussions with the company geologist confirmed that the company had not started drilling. Prior to Summer Gold's exploration license, a Chinese company (Eisan Development Company) held a Memorandum of Understanding with the government for six months of exploration (in 2005), although results of any such activity were not known to the government officials interviewed.

Within the Phnom Pang area, some of the unlicensed small-scale miners are Vietnamese, others migrated from other regions of Ratanakiri Province and others are indigenous. Mining started in this particular site in the mid-1980s, when Vietnamese miners came to the area. Three Khmer miners interviewed noted that they had only been working as miners for 1 month and had come to this area after hearing about the success of Vietnamese miners. Summer Gold was reportedly drawn to this area after recognizing that the ore grade is high here, which company geologists first suspected due to the number of artisanal miners in the area. According to a geologist working with Summer Gold, ten employees including three geologists were working on the concession in Phnom Pang, including one geologist from the company and two from MIME. The

exploration work was minimal, to only 30 metres of depth, with the samples collected then sent to Bangkok for analysis. The geologist indicated that the company was slow in moving from exploration into a mining phase, and in 2011 Summer Gold transferred ownership to another Australian company, Brighton Mining Group, illustrating a degree of transience in foreign investment that characterizes the dynamic nature of Ratanakiri's "global" countryside.

The conceptualization of a globalized mining sector that brings new job opportunities was advanced by the Summer Gold geologist who noted that the company had recruited 13 people from the village for small jobs, including cooking, digging holes, and clearing bush. He also noted that when one worker had suffered an injured hand at work, the company paid for medical costs. However, economic opportunities in unlicensed ASM were arguably far more tangible than hoping for a job in a large mining company. According to one of the artisanal miners who came from southern Ratanakiri, people could earn as much as 100,000 Riel/week from informal artisanal mining, or approximately 100 US\$/month. (Some of the artisanal miners had previously been farmers, lamenting that the success of farming was limited, depending partly on rain levels.) Nonetheless, opportunities in ASM have been met with mixed emotion. A 20 year-old migrant miner described a sense of adventure associated with the economic potential of ASM but, when asked if there were safety concerns, he expressed fear that people who descend the 35-meter shafts (for ASM) could fall or be hit by falling rocks. Adding to such concerns, environmental degradation and pollution were presented by some policymakers as rationales to close down illegal ASM activities in Ratanakiri. In 2004, the District Governor initiated a series of campaigns to arrest illegal gold miners in the region, though these proved to be ineffective, and mining activities continued. In 2010, twenty members of a military unit conducted law enforcement crackdowns in villages where artisanal mining had been widespread; these crackdowns were generally not regarded as successful either and the illegal mining continued unabated (Naren, 2010).

Contemplating Resettlement and/or Resource Sharing

Unlike the case of the Chinese company in Sambo, the Australian company in Phnom Pang used discourse that referred to the unlicensed miners living in a “village” rather than an “illegal settlement,” albeit with some temporary structures (Figure 3) serving as make-shift living quarters for migrant miners. The size of the village fluctuated substantially according to the season. The company geologist suggested that when the company moves to develop a mine (assuming that the government grants the mining license), the villagers would be allowed to stay, but ASM activities would have to stop. Importantly, another contrast is that unlike the situation encountered in Kratie, artisanal miners interviewed in Ratanakiri were not aware of a mineral exploration company on the premises. Discussions about power relations at the local level were thus more concerned about middlemen involved in the illegal mining operations (equipment owners, for example) than about the prospect of eviction by a foreign-owned company.

Figure 3: Housing of Migrant Miners in Phnom Pang, Ratanakiri



Photo source: author

Government officials also expressed uncertainty about the contribution that mining makes to the local community. Policymakers as well as small-scale miners both indicated that the economic benefits of ASM were being distributed unevenly, with much of it going to owners of the mining equipment who did not live in the area. A frequent revenue-sharing practice in this area was for 50% of proceeds from gold mining accruing to three owners of the equipment (who all reportedly lived in Banlung, the capital of Ratanakiri) and 50% remaining with the workers. Given that government authorities appeared to know who owns the illegal miners' equipment, the question arose: why were the authorities not arresting the owner? Interviewees widely indicated that a frequent practice was for certain regional government authorities to raise revenue 'informally' by allowing this activity to continue. This seems to reinforce the point made by Sotham (2004) that illegal mining persists in many cases due to payments to powerful actors and businessmen, which inhibits efforts at legalizing ASM activities. In some cases, such payments prevent policing; in other cases, though, the combined influences of foreign companies and national elites lead to excessive military action. A story was relayed by one former small-scale miner regarding military activities in March, 2010 in another gold mining area in Ratanakiri; he complained that military squads acted unjustly and that he lost 4,000 US\$ worth of equipment. "The military destroyed everything," he complained, stating that a Chinese logging company paid a military squad. His operation had 50 workers, at least 60% of whom could not find jobs afterwards. Although it was in theory legally possible for logging and mining to co-exist, concession owners apparently were not keen on sharing between mining and forestry activities; and the interviewee who was affected by the military sweep insisted that people who have been working in mining for many years must be recognized as having rights to mine and that military involvement makes things worse, especially when such action comes as a "surprise."

The case of Phnom Pang raises questions not only regarding how a hybrid notion of globalization might be conceptualized in gold mining, but also whether there can be some situations

where resources can actually be shared between foreign companies and ASM groups even before legal uncertainties are resolved. Linked to this question, should a critical focus on “legal place-making” actively encourage legal arrangements to legitimize ASM for both migrant and indigenous mining groups? As the Phnom Pang mining concession has been passed from one Australian company to another, the ownership changes also underscore continuous uncertainties regarding when –if at all – concession areas will be relinquished for “local” benefit and use.

Rethinking “Place” while Negotiating Cambodia’s “Global Countryside”

In critically reviewing Cambodian resource tenure discourses nationally, Springer (2013) argues that policy recommendations for “compensation” and “relocation” have often biased the discussion of land use options by perpetuating the assumption that eviction is inevitable in rural development trajectories. Specifically, he argued that: “The unfolding of a juridico-cadastral system in present-day Cambodia is at odds with local understandings of landholding, which are entrenched in notions of community consensus and existing occupation” (p. 520). The relevance of this argument is accentuated by findings in both Ratanakiri and Kratie, where threats of eviction have been mounting, albeit to different degrees. Building on Springer’s observation, three key interrelated themes emerged from analyzing the Sambo and Phnom Pang cases. The first theme relates to the importance of understanding social diversity in the ASM sector and engaging heterogeneous interpretations of illegality in mining areas. This requires a flexible context-informed appreciation of ASM, moving beyond the homogeneous legal place-making language that is enshrined in existing mining legislation and policies that favour large corporate mining models. The second theme relates to examining how globalization proceeds by hybridization, fusing local and extra-local land use practices linking foreign companies, migrant miners and indigenous populations involved in mineral extraction-based livelihoods. The third relates to the importance of examining social attachments to rural place, especially to analyze the degree to which dominant

discourses about promoting “alternative rural livelihoods” (e.g. telling miners that they should move and become farmers elsewhere) can mask socioeconomic challenges and ignore long histories of ASM in gold-rich regions. Each of these is discussed below.

Engaging the diversity of “illegal mining” in globally contested areas: moving beyond homogeneous “legal place-making”

The analysis in Kratie and Ratanakiri highlights diverse factors that contribute to unlicensed mining, to different extents in different contexts: high levels of unemployment; the non-existence of a definition of “small-scale mining” as a category in current mining laws which seems to imply automatic exclusion from formal licensing opportunities; lack of knowledge of “artisanal mining” licensing procedures and the absence of incentives to register; and, in particular, competition over land and resource access. Interviews confirmed that there had also been limited communication among authorities, foreign-owned companies and unlicensed mining groups, and that lack of accountability persisted for powerful actors involved in the gold business, reflecting the unevenness of legal place-making. The case in Kratie illustrated a scenario where artisanal mining was a longstanding livelihood for families, highlighting the importance of sensitively considering illegality as a heavily disputed construct. Moreover, experiences in Kratie and Ratinikiri also indicate that government policies had not given legal recognition to the different types of ASM that are conducted on the ground. A key finding of the study was that nationally, despite licensing policies in place, no artisanal mining licenses had yet been issued.

Framed within a macro-spatial argument about land commodification, rural places – and what are considered “illegal” practices within them – may be seen as shaped considerably by global interests in the mining sector. This is intimated by the UN Human Rights Council, which noted that “just under two million hectares of land have been granted to mining companies for exploration of gold, iron ore, copper and other precious minerals” (UNHRC, 2012, p. 9), underscoring growing

concern about corporate encroachment on local rights. Both Sambo and Phnom Pang can be seen as part of this trend. Yet, the politics of place-based marginalization are about more than contested land use; they are also about contested meanings and representations of rural legitimacy. The vision of artisanal mining that is constructed in legal discourse is relevant; legal discourse constructs a restricted vision of “family” mining that, although (perhaps) suitable for ancient mining cultures, clashes with current realities. Shallow gold deposits are nearly exhausted in many parts of Kratie and Ratanakiri, and while laws forbid digging below 5 meters, attempts to regulate such activity fail partly because of a romanticized notion of non-mechanized traditional mining. Both ASM in Sambo and Phnom Pang involved mining below 5 meters. The sense of “place-making” evoked in the language of national law does not take into account these forms of ASM activity.

Cambodia is one of many countries in Asia that is currently seeing an increase in level of mechanization of the ASM sector. One of the suggestions to policy-makers (as the author discussed study findings with national and regional government officials) was that a legal definition for “small-scale mining” might (in theory) enable the regulation of certain forms of extraction that are not addressed under existing classifications. Such provisions could (theoretically) provide a legal framework for semi-mechanized extraction and include licenses for cooperatives (beyond just “family” members as the existing artisanal mining law specifies) and individual license holders. NGOs also argued that an associated set of basic environmental, safety and health guidelines could be developed to accompany this new regulation, designed through participatory consultations with stakeholders. However, these regulatory proposals emerged from an entirely different set of “place-making” assumptions than those dominant in policymaking circles, which tend to focus on foreign investment as a mechanism for promoting development. In many policy discourses, development analyses present a sense of inevitability in how global resources struggles in Cambodia will be resolved in disputed rural territories, leaving “no room” for artisanal mining, as conveyed in an article entitled *“Foreigners Push Locals Out Of Cambodian Gold Rush”* (Jakarta Post, June 24,

2011). Policy discourses on ASM to date have widely been characterized by an understanding of globalization as a force that will shape livelihood trajectories in mineral-rich regions in particular ways. This study's focus on two places has suggested that analytic nuance is needed; the globalization of the mining industry, far from being a singular force, is an ongoing contested process, one that creates differently situated regimes of uncertainty and differentiated types of shifting relations between government officials, companies and heterogeneous groups of "illegal" miners.

Representatives of NGOs have advocated for holding concessionaires, small-scale mine-owners, and equipment-owners accountable when they break the law. At the same time, just as Le Billon (2002; 2012) critically noted the tendency for "legal enforcement" regimes to avoid penalizing the politically well-connected and economic elite in Cambodia's forestry sector, Cambodia's mining sector is now experiencing similar processes of privileging of powerful interests, with new global and regional actors involved. The risks associated with uneven policing are particularly severe when armed forces become central players in the management of contested land areas. As one interviewee insisted, "legal permission for exploration is not a license to evict local ASM miners"; a number of interviewees in this study reinforced this caution, stressing that dialogue with communities should pre-empt eviction or security/police interventions. Furthermore, analyzing the illegality of small-scale producers' activities without considering the illegality in the activities of "licensed" large-scale companies (e.g. non-compliance with environmental legislation, or illegal exploitation) could further distort representations of land competition. As stressed by a government officer in the Ministry of Environment, "both national and provincial [government] officers have a crucial role in talking to the communities as part of the process of addressing illegal mining,"¹⁴ recognizing that "illegality" is contextually idiosyncratic in its meaning.

¹⁴ Interview, June, 2010.

Re-engaging the hybridization of rural and global interests in negotiating land use competition

The case studies in Sambo and Phnom Pang also suggest that critically unpacking the linked regional and global economic interests in gold-rich localities should be pursued alongside analysis that considers approaches for reconfiguring regimes of resource access. Interviews with miners and NGOs suggested that designing areas where ASM could be legitimated could help to avoid conflict between artisanal miners and foreign companies, make access to resource extraction opportunities more equitable and foster opportunities to transform illegal livelihoods into legal livelihoods. As the global reputation of companies and government actors is jeopardized when security forces attempt to evict populations, some companies have found it beneficial to form partnerships with ASM groups to create mutually productive relationships and prevent conflict (ICMM, 2009). In Cambodia, tensions between foreign companies and small-scale miners exist partly because government institutions have not created an effective mechanism for relinquishing unused portions of concessions.

Cheshire (2010) stressed that mining companies vary substantially in their commitments toward communities, often resorting to “fly-in-fly-out” patterns of engagement. This variation and, more importantly, this sense of disconnection with place, is now a major concern in debates about the legitimacy of the “licensed” mining industry in Cambodia. Ties between multinational mining companies and local communities are especially complicated when resident and/or migrant communities have become dependent on ASM for their livelihoods, as in Kratie and Ratanakiri. Mining company representatives acknowledged that in many regions of Cambodia not all areas demarcated under mineral exploration concessions are likely to be mined by the concession holders in the foreseeable future. Some areas might not be suitable for large-scale mining equipment and might be suitable for small-scale mining, a principal example being the reprocessing of tailings and waste dumps, which are normally only economically viable on a small-scale. However, companies in Cambodia have opposed the idea of making geological information publically available. Despite

what was referred to earlier as “hybrid” planning between government actors and companies, government alliances with foreign companies to acquire expert knowledge about mineral resources in recent years has so far failed to produce significant new opportunities for local miners and their families.

Mining dynamics in Sambo and Phnom Pang differ in numerous ways, not only regarding methods of gold production used by ASM groups but also by different degrees of pressure by foreign companies. In Sambo (more so than in Phnom Pang) these pressures represented a highly visible, imminent conflict risk that continued to be resisted by local small-scale miners. Analysis of scalar power relations could prove useful in the mining sector, where the role of commune councils and other local governance structures have not yet been clearly defined in mining policy documents. As the allocation of mining licenses has been part of broader economic reforms and aid packages that are negotiated between national policymakers and foreign governments, these “higher up” geopolitical decisions could and should be critically understood in conjunction with social aspects of ASM on the ground. For example, geopolitical and economic relationships with China have shaped mining sector licensing negotiations, generating widespread public concern about the extent to which Chinese companies are coming to dominate Cambodia’s resource sector and create “no go zones” in rural areas (Pomfret, 2010). While the analysis of such processes should take into account micro-level concerns of people living in ASM areas – including legal claims to resource access – Sambo and Phnom Pang both are contexts where small-scale miners’ contestations should be understood as reflecting situated uncertainties and ongoing contestation, rather than simply subordination.

Re-envisioning rural participation in development and place attachment

Finally, the third theme in this article’s proposed “place-making” analytic framework focuses on how participating in the benefits of mineral wealth works in relation to mining groups’

sense of attachment to place. Just as research on farmer identities elsewhere has carefully unpacked the contentious “role of material and cultural ties to place in forming identity” (Cheshire et al., 2013, p. 265), notions of place attachment in Cambodia’s artisanal and small-scale mining sector warrant careful scrutiny. Policies for compensating displaced (or “resettled”) communities in contested mining concessions are complex and often revolve around specific assumptions about a resettled person’s attachment to the contested land in question – whether they are “indigenous” and whether they lived in an area for at least five years, what their income in the area might be and other factors (IPNN, 2010). This study supports the contention that, even if artisanal miners are deemed to qualify for compensation (if relocated), one-time cash payments for resettled people would likely do little to support long-term livelihoods. Rather than emphasizing that small-scale gold miners should adopt alternative livelihoods, which has been the dominant government position alongside police enforcement, there is a need to interrogate whether resettlement of ASM workers is a viable option and how miners relate – economically, socially and culturally – to particular places. Multi-sited place-based research on regional socioeconomic constraints is necessary to gain an understanding of what potential, if any, there might be for promoting alternative livelihoods besides gold extraction in poorer communities. In Cambodia, the proposition that “promoting alternative livelihoods” might work effectively to bring artisanal miners into new professions has yet to be tested empirically.

Maconachie and Binns (2007) offered a vision of how such research could be conducted in Sierra Leone, a country with far more experience in developing mining sector projects. Such analyses in Cambodia would be important to better understand the shifting demographics of mining groups and the contextual implications for rural planning. Attitudinal surveys could also be crucial to understand diversities in “community” perspectives and bring focus to competing interests in how land conflicts are approached. Whether or not women, men and youth involved in small-scale mining could continue to derive a livelihood from gold when large mining companies enter an area

remains a context-specific rural planning dilemma, one that is profoundly affected by politics. As suggested by the case of Sambo, it would be dangerous to assume that it would be an effective – or equitable – policy trajectory to relocate mining communities in Social Land Concessions. It would be similarly dangerous to take at face value mining industry reports that describe artisanal miners in Ratanakiri as readily movable. As suggested above, “transient” migrant miners have been portrayed as just *temporarily* useful to foreign companies because they have “provided valuable exploration information as to the location and nature of gold zones” – as expressed in Brighton Mining Group’s report to Australian shareholders, for example (Brighton Mining Group, 2010, p. 25). The power of larger-scale segments of the mining industry to frame smaller scale producers’ identities and relations to place is an increasingly contested type of discursive power, one that highlights why “discourses of globalization” should be “fused with discourses of rurality” (Woods, 2007, p. 502). Nuanced attention is needed on the situated livelihood concerns of artisanal miners themselves.

Conclusion

This study illustrates the importance of resisting narrow understandings of mining in rural development discourses and highlights the differentially contested nature of the “global countryside” in Cambodia’s gold economy. Its findings contribute to a growing body of literature that is challenging “conventional definitions of mining as industrial work” (Lahiri-Dutt, 2012 p. 193), recognizing that ASM presents alternative forms of land use that should be taken seriously. The study further underscores the importance of taking into account what Woods (2007) called “shifting, tangled and dynamic networks, connecting rural to rural and rural to urban, but with greater intensities of globalization processes and of global interconnections in some rural localities than in others” (Woods, 2007, p. 491). Different “intensities of globalization processes” are illustrated by the distinction between Sambo District and Phnom Pang. Although the case of Sambo highlights a scenario where artisanal mining has been more of a longstanding family tradition than the case considered in Phnom Pang, artisanal miners in Sambo appear to be experiencing

considerably more pressures to leave the area than in Phnom Pang. In part this is because the large Chinese company that holds the mineral exploration concession in Sambo is at a more advanced stage of mining development than the Australian company in Phnom Pang. The two case studies illustrate that contested claims to ownership and different types of connection to mining areas have shaped challenges in land use planning, and the roles of foreign companies vary and continue to evolve.

The study has suggested that there are many reasons to significantly reform mining policy language in Cambodia and develop new ways of thinking about small-scale miners, particularly in contexts where there is a deeply rooted economic dependency on ASM. Rather than frame globalization debates around narrow depictions of local illegality with community relocation as the inevitable end point, policymakers and researchers should consider illegality in mining companies' concessions as a more multi-faceted phenomenon. As land use pressures related to economic globalization continue to exert influence in the mining sector, rural land use planning needs to be sensitive to at least two forms of "*heterogeneity*" – what Hinton (2011) calls the "heterogeneity between and within mining communities" (p. 8) as well as what Lahiri-Dutt (2003) calls the "heterogeneity of options" (p. 250) when responding to resource disputes. The three themes noted above suggest some of the ways of broadening approaches beyond current paradigms.

To conclude, this study offers a window into just one of the many economic sectors in Cambodia's "global countryside." International aid agencies are now working with the Government of Cambodia on an unprecedented number of rural land use development programmes that have the potential for widespread dispossession of peasants – not just in the mining industry (Neef et al., 2013). Critical reflection is needed to ensure that discourses of economic growth and productivity do not eclipse alternative understandings of the cultural and socioeconomic significance of resource-rich land. While theoretically developed and empirically rich critiques are needed, there is also a need to form policy-oriented collaborations linking Cambodian government agencies,

universities and rural community-based institutions; and future collaborative research could play an important role by engaging different groups of women, men and youth involved in the artisanal mining sector, adopting place-based approaches in unpacking the situated roles of rural planning and rural identity formation on the ground. If the connections between mining policy discourse, globalization and rural livelihoods are to be understood in their complexity, research needs to give careful attention to diverse social tensions in the “global countryside” and hidden processes of rural marginalization in increasingly globalized extractive sectors.

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